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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/864,738 | 05/23/2001 | Jeffrey A. Balluff | 10007009-1 | 2802 |

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

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| EXAMINER |
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AZAD, ABUL K

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| ART UNIT | PAPER NUMBER |
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2654

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/864,738

Applicant(s)

BALLUFF ET AL.

Examiner

ABUL K. AZAD

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on November 15, 2004.
2. Claims 1-3 and 5-20 are pending in this action. Claims 1, 5, 9-11 and 15-17 have been amended. Claim 4 has been canceled.
3. The applicant's arguments with respect to claims 1-3 and 5-20 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant's arguments or comments, see the detailed discussion in the Response to the Arguments section.
4. In view of the applicant's arguments the Objection to the Specification and the rejection under **35 USC § 112** set forth in the previous Office action is here by withdrawn.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-3, 5-8 and 11-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Sharman et al. (US 6,100,882).

As per claim 1, Sharman teaches, "a method of communicating information between a first individual and a second individual", comprising:

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“receiving a first signal in voice format from the first individual” (col. 4, lines 47-65);

“automatically converting the first signal into text format and visually displaying, substantially in real time, the first signal as first portions of text in response to receiving the first signal” (col. 5, lines 32-63);

“receiving a second signal in voice format from the second individual” (col. 4, lines 47-65);

“automatically converting the second signal into text format and visually displaying, substantially in real time, the second signal as second portion of text in response to receiving the second signal” (col. 5, lines 32-63).

As per claim 2, Sharman teaches, “wherein the second signal is remotely received from the second individual via a telecommunications network” (col. 5, lines 1-31).

As per claim 3, Sharman teaches, “further comprising distinguishing the first signal from the second signal” (Fig. 9).

As per claim 5, Sharman teaches, “assigning a first label to the first signal; and, assigning a second label to the second signal” (Fig. 9).

As per claim 6, Sharman teaches, “visually displaying the first label with the first portions of text; and, visually displaying the second label with the second portions of text” (Fig. 9).

As per claim 7, Sharman teaches, “storing the first signal in text format; and, storing the second signal in text format” (Fig. 3, element 124).

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As per claim 8, Sharman teaches, "wherein the text format of the converted first and second signals comprises electronic signals representative of the text format, the method further comprising providing a readable memory device, and storing thereon at least a portion of the electronic signals representing the text format" (col. 6, line 1).

As per claims 11-13, 15-16, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-3 and 5-8.

As per claim 14 Sharman teaches, "wherein the apparatus is configured to be used in a customer support environment to facilitate the communication of customer support data via a telecommunication network and between the first individual, who is a support technician, and the second individual, who is a customer" (col. 5, lines 1-31, "teleconference", here teleconference can be use in a customer support environment, communication can be take place between customer support technician and the customer).

As per claims 17-20, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-8 and 14.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharman et al. (US 6,100,882) as applied to claim 1 above, and further in view of well-known prior art.

As per claim 9, Sharman does not explicitly teach, "the first portions of text are visually displayed in a first color; and, the second portions of text are visually displayed in a second color". Official Notice is taken on the well-known visually displaying different text in different color. Therefore, it would have been obvious to one of ordinary skill in the display art at time of the invention to use the first portions of text are visually displayed in a first color; and, the second portions of text are visually displayed in a second color because one ordinary skill would readily recognize that would clearly distinguish two text side by side.

As per claim 10, Sharman does not teach, "the first portions of text are visually displayed in a first typographical font; and, the second portions of text are visually displayed in a second typographical font". Official Notice is taken on the well-known visually displaying different text in different font. Therefore, it would have been obvious to one of ordinary skill in the display art at time of the invention to use the first portions of text are visually displayed in a first typographical font; and, the second portions of text are visually displayed in a second typographical font because one ordinary skill would readily recognize that would clearly distinguish two text side by side.

Response to Arguments

9. Applicant's arguments with respect to claims 1-3, 5-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABUL K. AZAD whose telephone number is (571) 272-7599. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHMOND DORVIL can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'A-K Azad'.

ABUL K. AZAD
Primary Examiner
Art Unit 2654

April 14, 2005